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COMMONWEALTH OF MASSACHUSETTS
OFFICE OF CONSUMER AFFAIRS AND BUSINESS REGULATION

DEPARTMENT OF
TELECOMMUNICATIONS & ENERGY

ONE SOUTH STATION
BOSTON, MA 02110
(617) 305-3500

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November 3, 2000

Magalie Roman Salas
FCC Secretary
Office of the Secretary
Federal Communications Commission
445 Twelfth Street, S.W. TW-A325
Washington, D.C. 20544

Re: Massachusetts Department of Telecommunications Determination to Opt-in to the FCC
referral program on slamming
Docket No. 94-129

Dear Ms. Salas:

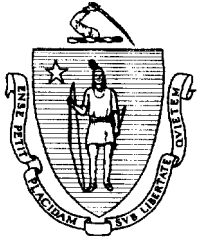
Attached is a letter from the Commission of the Massachusetts Department of Telecommunications and Energy wherein they elect to opt into the FCC's referral program on slamming. Kindly date stamp a copy of the letter and return it to me in the enclosed, self-addressed envelope.

Should you have any questions, kindly contact me at (617) 305-3615. Thank you for your assistance.

Sincerely yours,

Andrew O. Kaplan

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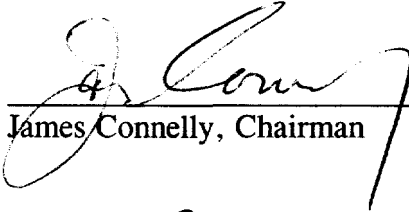
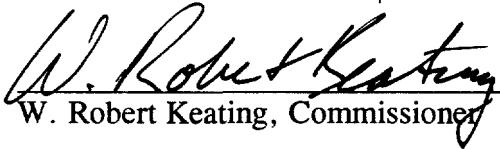
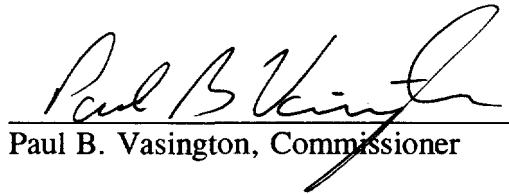
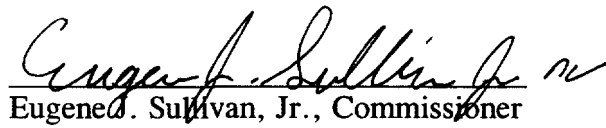
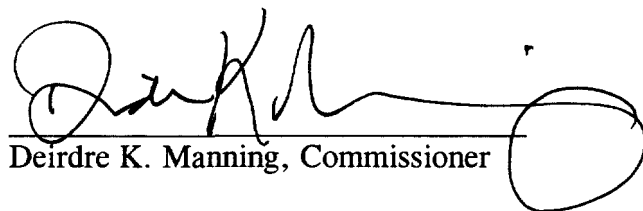
Dear Ms. Salas:

Pursuant to the procedures established in the Federal Communications Commission ("FCC" or "Commission") First Order on Reconsideration in CC Docket No. 94-129, released on May 3, 2000, the Massachusetts Department of Telecommunications and Energy ("Department") hereby elects to take primary responsibility for resolving Massachusetts consumers' slamming complaints effective on the date written above. Attached please find the filing information and statutory requirements concerning slamming complaints.

Should the Commission require any additional information concerning this matter, kindly

contact the Department's Consumer Division at (617) 305-3631.

Respectfully submitted,


James Connelly, Chairman
W. Robert Keating, Commissioner
Paul B. Vasington, Commissioner
Eugene J. Sullivan, Jr., Commissioner
Deirdre K. Manning, Commissioner

**COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF TELECOMMUNICATIONS AND ENERGY**

METHOD OF FILING CONSUMER SLAMMING COMPLAINTS

The Department's statutory and regulatory requirements concerning slamming complaints can be found in G.L. c. 93A, §108 et seq. and 220 C.M.R. § 13.00 et seq., respectively.

1. **How to File a Complaint**

Consumers may initiate a slamming complaint to the Department within 90 days of the statement indicating that the customer's interexchange carrier or local exchange carrier has been switched. The complaint may be filed with the Department, at no charge, by mail, fax, or telephone.

Mailing Address: Massachusetts Department of Telecommunications and Energy
Consumer Division
One South Station
Boston, MA 02110

Toll-Free Consumer Complaint Telephone Number: 1-800-392-6066

TTY: 1-800-323-3298

FAX: 617-478-2591

2. **Information required from Customer**

The Customer must provide the Department with:

1. Copy of the customer's telephone bill;
2. Name of the original IXC or LEC;
3. Name of the new IXC or LEC;

Within ten business days of receiving the requested information from the customer, the Department will request that the appropriate IXCs or LECs provide information relevant to the switch of the complainant's telephone service. This information includes, but is not limited to, third party verification recordings, letters of agency, etc. If the complainant challenges the veracity of the company's information, the Department will attempt to resolve the issue informally between the parties, or alternatively, the consumer may request that the matter be adjudicated before the full Commission. By law, all final decisions issued by the Department may be appealed to the Supreme Judicial Court.

The Department will file information with the FCC annually detailing the outcome of any slamming complaint referred to the Department by the FCC.

The primary contact for the FCC for coordination of the FCC complaint referrals and state reporting is:

Director, Consumer Division
One South Station
Boston, MA 02110
voice: 617-305-3616